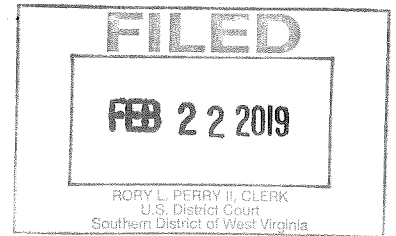


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA



JEFFREY RAY WOODS, _____ 3510742 _____

*(Enter above the full name of the plaintiff
or plaintiffs in this action).*

(Inmate Reg. # of each Plaintiff)

VERSUS

CIVIL ACTION NO. 2:19-cv-0130

(Number to be assigned by Court)

DAVID BALLARD, Warden,

Mount Olive Correctional Complex (MOCC);

MR. ROSE, Unit Manager, MOCC;

MR. MEADOWS, Investigator, MOCC;

*(Enter above the full name of the defendant
or defendants in this action)*

COMPLAINT

I. Previous Lawsuits

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes _____ No xxx

B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district; if state court, name the county);

3. Docket Number: _____

4. Name of judge to whom case was assigned:

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. Place of Present Confinement: NORTHERN CORRECTIONAL FACILITY

A. Is there a prisoner grievance procedure in this institution?

Yes ^{XXX}_____ No _____

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes ^{XXX}_____ No _____

C. If you answer is YES:

1. What steps did you take? Filed G1, G2, and G3

(SEE EXHIBIT A, ATTACHED)

2. What was the result? NO RELIEF

D. If your answer is NO, explain why not: _____

III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff: JEFFREY RAY WOODS

Address: NORTHERN CORRECTIONAL FACILITY, 112 Northern
Reg. Corr. Dr., Moundsville, WV. 26041

B. Additional Plaintiff(s) and Address(es): _____

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

C. Defendant: DAVID BALLARD,
is employed as: WARDEN,
at Mount Olive Correctional Complex (MOCC)

D. Additional defendants: MR. ROSE, Unit Manager; MR. Meadows,
Investigator; MR. Duncan, Investigator; MR. Dixon,
Investigator, all of these Defendants were employed at
MOCC, 1 Mountainside Way, Mount Olive, WV.

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

PLEASE SEE ATTACHED "STATEMENT OF CLAIM"

STATEMENT OF CLAIM

1. In January, 2017 while incarcerated at the Mount Olive Correctional Complex (MOCC), unit manager Mr. Rose labelled me a snitch to the inmate population. This resulted in an inmate by the name of Bradley Earl Hacker, (A.K.A. Hack) soliciting other inmates to attack and/or kill me.
2. Also in January, 2017 MOCC Investigator, Mr. Meadows did contact me and advise me that he and the MOCC Investigators had intercepted an outgoing letter addressed to Hack's father, from Hack in which he was stating to his father that he was going to have me attacked by paying some of his friends at MOCC to attack me.
3. Although MOCC Investigator's Meadows, Duncan, Dixon, unit manager Mr. Rose and Warden David Ballard were all aware of this known threat of third party violence, they did nothing to offer me any protection. Investigator Meadows simply told me to return to my housing unit after he advised me of this threat.
4. On or about February 24, 2017, I was brutally attacked by Bradley Earl Hacker's friend, Roger Smith, on the MOCC recreation yard. This attack resulted in serious physical injuries which required me to be transported to an outside Hospital and given emergency reconstructive surgery. I

was then housed in the infirmary of both MOCC and the Northern Correctional Facility (NCF) until on or about March 23, 2017.

COUNT ONE

5. Unit Manager Mr. Rose violated my Eighth Amendment right against cruel and unusual punishment, pursuant to the United States Constitution, when he labelled me a snitch to the MOCC inmate population. This act committed by Mr. Rose resulted in me being violently attacked on or about February 24, 2017.

COUNT TWO

6. Unit Manager Mr. Rose violated my Eighth Amendment right against cruel and unusual punishment, pursuant to the United States Constitution by remaining deliberately indifferent to the known risk of harm to myself, which resulted in me being violently attacked on or about February 24, 2017.

COUNT THREE

7. Unit Manager Mr. Rose violated my substantive due process rights pursuant to the Fourteenth Amendment of the United States Constitution when he failed to protect me from third party violence while I was in a special relationship with the state of West Virginia. This failure to protect resulted in me being violently attacked and injured on or about February 24, 2017.

COUNT FOUR

8. Investigators Meadows, Duncan, Dixon and Warden, David Ballard violated my Eighth Amendment right against cruel and unusual punishment, pursuant to the United States Constitution by remaining deliberately indifferent to the known risk of harm to myself, which resulted in me being violently attacked and injured on or about February 24, 2017.

COUNT FIVE

9. Investigators Meadows, Duncan, Dixon and Warden, David Ballard violated my substantive due process rights pursuant to the Fourteenth Amendment of the United States Constitution when they failed to protect me from third party violence while I was in a special relationship with the state of West Virginia. This failure to protect resulted in me being violently attacked and injured on or about February 24, 2017.

IV. Statement of Claim (continued):

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments.
Cite no cases or statutes.

SEE ATTACHED REQUEST FOR RELIEF

REQUESTED RELIEF

10. **WHEREFORE**, I request that this Honorable Court ORDER relief as follows:

- A. NOMINAL damages in the amount of \$ 100,000 against each Defendant, jointly and severally;
- B. COMPENSATORY damages in the amount of \$ 100,000 against each Defendant, jointly and severally;
- C. PUNITIVE damages in the amount of \$ 200,000 against each Defendant, jointly and severally;
- D. a declaration that the acts alleged in the Complaint, violated my rights pursuant to the United States Constitution;
- E. any and all costs and fees associated with the filing of this action;
- F. any and all costs and attorney's fees associated with the litigation of this action;
- G. a jury trial on all issues triable by jury;
- H. any other relief that this Honorable Court deems just right and proper.

If so, state the lawyer's name and address:

Signed this 15TH day of FEBRUARY, 20 19.

Jeffrey Ray Zook
Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on FEBRUARY 15, 2019
(Date)

Jeffrey Ray Zook
Signature of Movant/Plaintiff

Signature of Attorney
(if any)

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

JEFFREY RAY WOODS,
Plaintiff,

v.

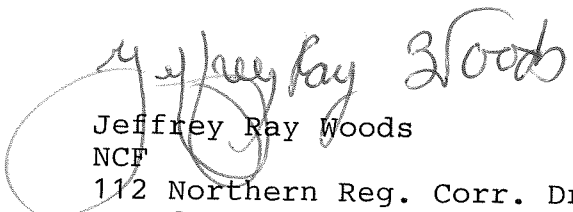
CIVIL ACTION NO.:

DAVID BALLARD, Warden,
Mount Olive Correctional Complex, et al.,

VERIFICATION

I, Jeffrey Ray Woods, do verify by virtue of my signature, pursuant to 28 U.S.C. § 1746, under the penalty of perjury, that the facts and information contained in my Complaint, are true and correct.

Respectfully submitted this 15TH day of FEBRUARY, 2019.



Jeffrey Ray Woods
NCF

112 Northern Reg. Corr. Dr.
Moundsville, WV. 26041